

WASHINGTON STATE DEPARTMENT OF LICENSING

Security Guard Business Technical Training Desk Manual

2009- 2010

www.dol.wa.gov

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Note to the users of this desk manual.

This purpose of this desk manual is to assist security business employers and their employees in understanding the Washington State security guard licensing requirements.

The information in this desk manual provides a step-by-step process to assist you in hiring eligible security guard applicants and for submitting accurate applications. By using these processes you will learn how to obtain licenses efficiently and maintain compliance with the licensing regulations.

This licensing instruction manual should be used in conjunction with the security guard laws and rules (RCW 18.170, WAC 308-18, and RCW 18.235).

Security Guard Licensing Requirements

Who needs a security guard license in Washington State?

A person or an entity engaged in the business of providing the services of security guards must be licensed as a security guard company. And, individuals employed by a licensed security guard company to provide security.

Applicants must meet the following requirements to qualify for a security guard license.

1. To qualify, applicants for an unarmed security guard license must be at least 18 years of age and at least 21 years old for an armed security guard license.
2. Applicants must be U.S. residents, or a resident alien.
3. Applicants cannot have a disqualifying criminal conviction. See page 32 for more information about criminal history records.

In our efforts to assist you, the Department of Licensing has made licensing records available to the public on the Internet. The information on this web site can help you save time and money.

Why you should search the Internet to prescreen security guard applicants.

- Do you want to hire someone with dual licensure?
- Do you want to know if the person you are about to hire has already been denied their security guard license because of a criminal conviction?
- Do you want to make sure you are sending in the correct fee?

Searching the Internet for Licensing Information

The link on the Department of Licensing website to search for records is titled Check **Status of a Business or Professional License**. This tool will show you the current status of a security guard application or license. You may access the web site at:

<http://www.dol.wa.gov/business/checkstatus.html>

To find a license status, choose “Security Guards” from the “Profession” drop down box. Next, enter a portion of the applicant’s first and last name. You do not need to enter information in all the fields. The less information you enter, the easier it will be to complete your search. The status types and definitions are as follows:

Status Name	Status Definition
Active	License status current
Child Support Suspension	Suspension due to failure to pay child support
Delinquent	Licensee (individual or business) not renewed, and owes penalty fee
Denied	Application for license was denied
Denied with Provisions	Individual can reapply after certain conditions are met
Inactive – Due to Company Inaction	Company is Inactive, so employee is inactive – due to company inaction
Inactive – Hold	Account is “holding” licensure pending requirement(s) or employment
Insurance/Bond Suspended	Company’s insurance coverage has been suspended or expired
Military	Used to signify those licensees that are on active military duty since obtaining a license
Pending BAP	Applicant/Licensee does not meet minimum qualifications or requirements and is given an opportunity for due process
Pending Documentation	Waiting for background check to be completed or other documentation or fees
Request for Information	Additional information is needed regarding applicant/licensee’s criminal history
Rejected Application	Applicant failed to respond to request for information in a pre-brief adjudicative proceeding
Revoked	License has been revoked for an infraction of the laws or cause
Revoked with provisions	Individual can reapply after certain conditions are met
Student Loan Suspension	Student Loan Suspension
Suspended	License Suspension for violation of the licensing laws
Terminated	Company or employee has terminated employment relationship – Individual is now inactive
Unknown Address	Unknown Address

Preassignment Training Preassignment Testing Requirements

All security guard applicants must complete eight hours of preassignment training **before** they can work as a security guard.

All security guards, except any person who was employed as a full time peace officer within the last five years, must complete at least eight hours of preassignment training. Four hours of the preassignment training classroom and/or on-the-job training shall be in subjects determined by the security guard company principal. Training should fit the specific type of duty required by the post. The additional four hours of the preassignment training classroom instruction shall be in the following listed subjects. For more information read RCW 18.170.105 and WAC 308-18-300.

(a) Basic principles.

- (i) Basic role of the security guard;
- (ii) Washington state licensing laws;
- (iii) Observation;
- (iv) Proper actions, reactions;
- (v) Homeland security - terrorism and surveillance.

(b) Legal powers and limitations.

- (i) Citizens arrest;
- (ii) Authority to detain, question, or search a private citizen;
- (iii) Authority to search or seize private property;
- (iv) Use of force;
- (v) Avoiding liability.

(c) Emergency response.

- (i) How to define what is or is not an emergency situation;
- (ii) Response to fires;
- (iii) Response to medical emergencies;
- (iv) Response to criminal acts;
- (v) Bomb threats.

(d) Safety and accident prevention.

- (i) Hazardous materials including Material Safety Data Sheet (MSDS);
- (ii) Accident reporting.

(e) Report writing.

- (i) Elements and characteristics of a report.

Preassignment testing is required for new security guards.

After receiving the preassignment training and prior to working as a guard, all security guard applicants must successfully complete the state examination. This examination was designed to demonstrate understanding and retention of the information studied in the training course. The Department of Licensing provides the examination document. The exam must have oversight by a licensed security guard certified trainer. The examination consists of 45 multiple-choice questions based on the training topics outlined on page 5.

The certified trainer must review all incorrect answers with the applicant to ensure they have a full understanding of the correct answers. Both the applicant and the certified trainer must initial all incorrect answers after the review, verifying knowledge of the correct information.

The signature, license number, and license expiration date of the certified trainer that administered the written examination is required on each state security guard application form. This signature is only valid if the license of the certified trainer is current and in good standing with the state. For more detail on the responsibilities of the certified trainer, see page 19.

Temporary Registration Cards

Temporary registration cards permit applicants to work as unarmed security guards while their application for a permanent license is being processed.

- A licensed security company may issue a new employee a temporary registration card provided by the Department of Licensing only after the employee has completed preassignment training and testing and has submitted to the security guard company a completed state application for a security guard license and fingerprint card.
- The application, fingerprint card and fee must be mailed to the Department of Licensing within three (3) business days after issuance of the temporary registration card. The temporary registration card is valid for a maximum period of 60 days and does not authorize a person to carry firearms during the performance of his or her duties as a security guard.
- The certified trainer that provides the preassignment training certification for the security guard applicant must sign the temporary registration card at the time of issuance. The temporary registration card permits the applicant to perform the duties of a security guard for the issuing company only.
- Temporary registration cards can be placed in the employee's file after they receive their permanent license.
- If the applicant receives a letter from the Department of Licensing that their permanent license is being withheld the applicant must surrender his or her temporary registration card to the security guard company. The temporary license can then be filed in the employee's file.

Temporary registration cards, record keeping, and audits

The security guard company must keep a log of each temporary registration card issued. The log must include the date the card was issued, the name of the guard and the date the application was sent to the Department of Licensing. The temporary registration card log is required to be retained and available for inspection for a minimum of three years.

A good temporary registration card log would look like the example in the table below. Remember, the data and logs are required by RCW 18.170.

Temp card #	Last Name	First Name	Middle Initial	Date of Birth	Date Temp Card Issued	Expiration Date	Date Application Sent to DOL
098998	Smith	Jane	R.	1/1/46	3/25/2003	5/25/2003	3/28/2003
098999	Jones	Jim	M	2/12/78	3/26/2003	5/26/2003	3/28/2003

Whether you print or type your log, use correct spelling and make the information legible. Logging the temporary registration cards in numerical order is very helpful in the reconciliation process.

Follow the rules for using the temporary registration cards.

The Department of Licensing may suspend the authority to use temporary registration cards for a period of one year for any security guard company that fails to comply with the requirements concerning temporary registration cards. After the suspension period, the Department of Licensing may reinstate the company's use of temporary registration cards after receipt of a written request from the company.

Ordering temporary registration cards

To order temporary registration cards submit your request to the Department of Licensing using the Security Guard Supply Order Form and fax it to (360) 570-7888. The order form can be downloaded from our website at www.dol.wa.gov/forms/690019.pdf.

You must submit a copy of the temporary registration card log from your *previous* order of cards along with the order form for Department of Licensing's review. All temporary registration cards from the preceding order must be accounted for. The Department of Licensing must receive all applications for those applicants before additional temporary registration cards will be processed.

Security Guard Application Process

- Print clearly. If we can't read it, we can't process it.
- Write the last and first names in the appropriate boxes. This is very important, especially if the person has a name where it is hard to tell which the first or last name is.
- Date of birth must be on the application. Please make sure to write the date of birth, not the date of the application.
- Social Security Number is required by RCW 26.23.150.
- Certified trainer signature – required on application.
- Temporary card number and issue date.
- Personal Data – Answer all questions truthfully in the personal data section of the application form. Although not all convictions will prevent qualifying for a license some convictions may cause a delay or denial in licensing. If you answer yes to any question, attach a separate sheet with an explanation and enclose copies of court documents.
- Applicant must sign the application.

You can help decrease delays in the processing of your licenses. Incorrect fees delay issuing licenses and increase workloads. Issuing refunds for overpayments or sending a bill for short-paid fees cost applicants, employers, and the state time and money.

Fingerprint Requirements Rejected Fingerprints

All security guards must complete a Washington State Patrol (WSP) and Federal Bureau of Investigation (FBI) background check before they can be licensed. Whether applying for an unarmed or armed license at the same time, only one fingerprint card should be submitted.

On page 11 is a copy of what type of fingerprint card is acceptable. Other types of fingerprint card forms will be rejected. The cards are available for free from our office.

Reasons for rejected fingerprints:

- 1.** Fingerprint is smudged or smeared, possibly due to slippage during roll or fingers not clean and dry.
- 2.** Insufficient ink/pressure. Image too light.
- 3.** Excessive ink/pressure. Image too dark.
- 4.** Finger not fully inked or rolled. Insufficient pattern area(s) recorded for identification purposes.
- 5.** Sequence Error: Fingerprint(s) not in correct sequences as spaces indicated, same finger or hand printed twice, or hands have been reversed.
- 6.** Fingerprint is missing with no notation of injury or amputation. Note “UP” (for unable to print) or “XX” (for amputation) in finger block.
- 7.** Each rolled fingerprint must have corresponding plain or slap fingerprint. If slap fingerprints can be obtained, but due to injury or other reason a rolled fingerprint is not possible, note “UP” (unable to print) in the rolled finger block.
- 8.** Unable to determine sequence of rolled fingerprints due to quality of the slap fingerprints.
- 9.** Fingerprint not black on standard white fingerprint card stock.

Washington State Patrol will charge additional fees after three rejected fingerprint cards.

APPLICANT		LEAVE BLANK		TYPE OR PRINT ALL INFORMATION IN BLACK						FBI		LEAVE BLANK	
				LAST NAME <u>NAM</u>		FIRST NAME		MIDDLE NAME					
SIGNATURE OF PERSON FINGERPRINTED				ALIASES <u>AKA</u>		O R I G I N A L		WA920220Z 00L-PRIV SEC GRD PROG OLYNPLA, WA					
RESIDENCE OF PERSON FINGERPRINTED				CITIZENSHIP <u>CIT</u>		<u>SEX</u>		<u>RACE</u>	<u>HGT</u>	<u>WGHT</u>	<u>EYES</u>	<u>HAIR</u>	DATE OF BIRTH <u>DOB</u> <small>Month Day Year</small>
DATE		SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		POWER NO. <u>OCA</u>		PLACE OF BIRTH <u>POL</u>							
EMPLOYER AND ADDRESS				PSI NO. <u>FBI</u>		LEAVE BLANK							
REASON FINGERPRINTED				ARMED FORCES PHO. <u>MNU</u>		CLASS _____							
				SOCIAL SECURITY NO. <u>SOS</u>		REF. _____							
				MISCELLANEOUS INFO. <u>MNU</u>									
<div style="display: flex; justify-content: space-between;"> 1. R. THUMB 2. P. INDEX 3. R. MIDDLE 4. R. RING 5. R. LITTLE </div> <hr/> <div style="display: flex; justify-content: space-between;"> 6. L. THUMB 7. L. INDEX 8. L. MIDDLE 9. L. RING 10. L. LITTLE </div>													
<p>LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY</p> <p>L. THUMB R. THUMB</p> <p>RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY</p>													

Rejected fingerprint cards slow down the licensing processes.

If you receive a notice from the Department of Licensing stating the Washington State Patrol (WSP) or the Federal Bureau of Investigations (FBI) has rejected your fingerprint card, you must resubmit a new fingerprint card for the applicant as soon as possible.

Failure to reply within the requested time frame may result in an administrative termination of the application by the Department of Licensing. All notices are faxed or mailed to the employee and the companies in which the applicants are employed.

Chain of Custody Practices for Submitting Fingerprints

The FBI and WSP are encouraging that security guard companies implement the practice of Proper Chain of Custody when taking and mailing fingerprints of security guard applicants. This is not mandatory at this time.

Chain of Custody

- The person who takes the fingerprints must request some type of photo identification card as verifying an individual's identity. We recommend that only current, valid, and unexpired picture identification documents be accepted. As a primary form of picture identification, a state-issued driver's license or a state identification card are acceptable. In the absence of a driver's license, one or more secondary documents used to verify United States Citizenship or Legal Presence may be accepted.

The following must be filled out in order for a card to be processed:

- **Name** - Print or type your Last Name, First Name and Middle Name.
- **Signature of Person Being Fingerprinted** – The applicant must sign the legal name in this block. The card should be signed prior to rolling the fingerprints to prevent smearing. **The card must be signed in the presence of the official taking the fingerprints.**
- **Aliases (AKA)** - List any aliases used in the past (e.g. Dutch, Tex, Bunny) Female applicants using a married name should enter their maiden name in this block.
- **Date of Birth (DOB)** - Date of birth must be entered as month, day, year.
- **Residence of Person Fingerprinted** - List the street address, city and state of where you reside.

- **Social Security Number (SOC)** - Enter your social security number
- **Citizenship (CTZ)** - Enter the country of which you are a citizen.
- **Sex** - Use M for Male and F for Female
- **The Federal Bureau of Investigation has standardized the following race codes. Use only the following letters -**

A – Asian or Pacific Islander - a person having origins in any of the original peoples of the

Far East, Southeast Asia, the Indian sub-continent or the Pacific Islands.

B – Black - a person having origins in any of the black racial groups of Africa.

I – American Indian or Alaskan Native -a person having origins in any of the original peoples of the Americas and who maintains cultural identification through tribal affiliations or community recognition.

W – White - a person having origins in any of the original peoples of Europe, North Africa or Middle East. You may notice that Hispanic is not included in these codes. The FBI classifies Hispanic as an ethnic indicator, not a race.

Note Hispanics should be entered with the race code most clearly representing the individual.

- **HGT (Height)** - Enter height in feet and inches such as 5'11" as 511. Do not use fractions.
- **WGT (Weight)** - Enter weight in pounds such as 180 lbs. as 180
- **EYES - eye color. Use the following abbreviations:**

BLK – Black

BLU – Blue

BRO – Brown

GRY – Gray

GRN – Green

HZL – Hazel

- **HAIR - hair color. Use the following abbreviations:**

BLK – Black

BRO – Brown

GRY – Gray

RED – Red

WHI – White

BAL – Bald

BLD – Blonde

- **Place of Birth (POB)** - Enter the state, territorial possession, province or country of birth.
- **Reason for Fingerprints** - Enter the Program the prints are being submitted for i.e. Private Security, SCOP, Bail Bondsman, Bail Enforcement Agent

IF THE REQUIRED DATA FIELDS ARE ILLEGIBLE OR INCOMPLETE, THE CARD COULD BE REJECTED.

The person taking the fingerprints must sign and date the card in the space provided. Once the prints have been rolled, the application and fees along with the fingerprint card should then be placed in an envelope and the envelope sealed. Once the envelope has been sealed, it must arrive to the Department of Licensing unopened. Envelopes that arrive with the seal broken will be considered a break in the Chain of Custody and could be returned.

Armed License

Individuals applying for the security guard license with an armed endorsement must submit the fee, a fingerprint card, and Private Security Guard application form to the Department of Licensing and a firearm certificate issued by the Commission.

Armed license requirements:

- The Department of Licensing must receive verification of a current Firearms Certificate before the armed endorsement can be issued. The Criminal Justice Training Commission provides the Firearms Certification. (See page 14 for more information.)
- Applicants must be at least 21 years old to qualify for an armed endorsement on their security guard license.
- Applicants cannot work as an armed security guard until a permanent license with the armed endorsement from the Department of Licensing has been received.
- Licensees must carry the security guard license with the armed endorsement on their person while on active armed security guard duty.
- All resident aliens must have an Alien Firearms License prior to receiving an armed endorsement on their license. See RCW 9.41 Firearms and Dangerous Weapons.
- It is a class C felony for any person who is not a citizen of the United States to carry or possess any firearm, without first having obtained an alien firearm license from their local county sheriff's office.

Expiration dates of the security guard licenses do not change with the addition of the armed security guard endorsement.

Criminal Justice Training Commission Firearms Certifications

To apply for an armed security guard license endorsement, all applicants must complete an eight-hour Security Guard Firearms Certification Course. The Criminal Justice Training Commission (CJTC) provides the Firearm Certification courses and firearms certificates.

CJTC is a separate state agency, not a part of the Department of Licensing. Do not submit applications or fees for Firearm Certifications to the Department of Licensing.

The Department of Licensing requires documentation of Firearm Certification only for the original license.

All armed licensees must re-certify each year with CJTC before renewing the armed license, and documentation of the current Firearm Certification must be kept in the employee's file for three years.

For more information about the Firearm Certification process and application forms and fees contact:

Criminal Justice Training Commission
19010 1st Ave South
Burien, WA 98148
Division Secretary: (206) 835-7300
<http://www.cjtc.state.wa.us>

Summary of Hiring Procedures

The following licensing requirements must be completed before assigning a new security guard employee to duty.

1. The security guard company employer must provide 8 hours of preassignment training to each security guard applicant before the employee works guard duty. (The training subjects are listed beginning on page 5.)
2. The security guard company employer must provide and administer the preassignment state exam to each security guard applicant. A certified trainer must review any incorrect answers with the applicant.
3. The security guard company employer and the applicant must complete the security guard application form and a fingerprint card.
4. At this point, the security guard company employer can permit the issuance of a temporary registration card to the security guard applicant. The temporary registration card number must be entered on the application form.
5. Mail the application, fingerprint card and fees to the Department of Licensing within 3 business days after the temporary registration card is issued.

Postassignment Training Requirements

All security companies must provide eight hours of post assignment training to licensed security guards in the second year of security guard employment. In each of the following years, four hours of annual refresher training is required. (See 18.170.110 (4)). This is training that takes place after the security guard is working guard duty.

Postassignment Training Topics – WAC 308-18-305

The topic areas that must be used for postassignment training are as follows.

Postassignment training may also include the subject topics listed on page 5 of this manual and under WAC 308-18-300.

(a) Basic role of private security guards

- (i) Security awareness
- (ii) Private security guards and the criminal justice system
- (iii) Information sharing
- (iv) Crime and loss prevention

(b) Legal aspects of private security

- (i) Evidence and evidence handling
- (ii) Use of force
- (iii) Court testimony
- (iv) Incident scene preservation
- (v) Equal employment opportunity (EEO) and diversity
- (vi) State and local laws

(c) Security officer conduct

- (i) Ethics

(ii) Honesty

(iii) Professional image

(d) Observation and incident reporting

(i) Observation techniques

(ii) Note taking

(iii) Report writing

(e) Principles of communications

(i) Interpersonal skills

(ii) Verbal communication skills

(iii) Building relationships with law enforcement

(iv) Customer services and public relations

(v) Workplace violence

(f) Principles of access control

(i) Enter and exit control procedures

(ii) Electronic security systems

(g) Principles of safeguarding information

(i) Proprietary and confidential

(h) Emergency response procedures

(i) Critical incident response (e.g., natural disasters, accidents, human caused events)

(i) Evacuation processes

(j) Life safety awareness

- (i) Safety hazards in the workplace/surroundings
- (ii) Emergency equipment placement
- (iii) Fire prevention skills
- (iv) Hazardous materials
- (v) Occupational safety and health requirements (e.g., OSHA related training, bloodborne pathogens, etc.)

(k) Job assignment and post orders

- (i) Assignments and tasks
- (ii) Patrol

Certified Trainer Application Process and Responsibilities

Certified trainers are required to be licensed.

A certified trainer is a licensed security guard that has met the requirements to hold the authority to provide the preassignment training and examination to security guard applicants as required under RCW 18.170. The certified trainer has an endorsement on their security guard license that states they possess the certification.

- To apply for a certified trainer endorsement, an individual must be a licensed security guard or a security guard company principal. The application form titled 'Certified Trainer Examination' must be completed and submitted with the application fee.
- When the application is received by the Department of Licensing, we will call the applicant with instructions for taking the exam. The exams are given at a Licensing Services Office location of the applicant's choice.
- The applicant must score at least 85 percent on the certified trainer examination to become a certified trainer. Individuals who fail to obtain an 85 percent score must wait a minimum of seven days before they can retake for the exam.
- When the exam is passed, a letter of confirmation and a copy of the preassignment training exam and answer key are sent by the Department of Licensing to the new certified trainer. This is the written exam the certified trainer will give to security guard applicants after the preassignment training. A revised security guard license is issued and mailed to the certified trainer's company with the certified trainer endorsement on the license. The company is responsible for giving the license to the certified trainer.

There is no limit to the number of certified trainers a security guard company may have.

What to study to pass the Private Security Guard Principal and Certified Trainer Examination?

All principals and certified trainers must demonstrate knowledge and proficiency in the following areas:

- All topics in the security guard presassignment training course
- Washington state laws regarding security guard licensing and regulations
- Legal and liability issues related to the security guard industry
- General security management

Where can I find the study material to prepare for the examination?

1. Washington State Laws Regulating Private Security Guards
Chapter 18.170 RCW
<http://apps.leg.wa.gov/RCW/default.aspx?cite=18.170>
2. Washington Administrative Code for Private Security Guards
WAC 308-18
<http://apps.leg.wa.gov/WAC/default.aspx?cite=308-18>
3. Washington State Patrol, WATCH
<https://watch.wsp.wa.gov>
4. Uniform Regulation of Business and Professions Act
<http://apps.leg.wa.gov/RCW/default.aspx?cite=18.235>
5. Firearms and Dangerous Weapons
<http://apps.leg.wa.gov/RCW/default.aspx?cite=9.41>
6. Master Business License, Secretary of State, US Department of Revenue, and Trade Names
www.dol.wa.gov/businesses.htm
7. Equal Employment Opportunity Commission
www.eeoc.gov
8. Criminal Justice Training Commission – Use of Force Continuum
<https://fortress.wa.gov/cjtc/www/>
9. Washington Criminal Code Title 9A
<http://apps.leg.wa.gov/RCW/default.aspx?cite=9A>
10. Occupational Safety & Health Administration
www.osha-slc.gov/

11. Material Safety Data Sheet (MSDS)

www.ilpi.com/msds/faq/parta.html#whatis

12. Protection Officers Training Manual

www.loc.gov/catdir/toc/els051/2003050337.html

Certified trainers have several responsibilities.

- Protect the integrity of the preassignment written exam.
- Provide preassignment training to employees of licensed security guard companies.
- Administer the test to employees after the preassignment training is completed
- Review all incorrect answers with the individual to ensure they understand what the correct responses are and have full understanding and sign the reviewed exam.
- Sign the temporary registration cards issued to applicants trained by the certified trainer.
- Certify completion of the preassignment training and testing on the applicant's security guard license application form.
- Oversee, record, and attest to all training post and preassignment training requirements and annual refresher training.
- Maintain records of all pre and postassignment training and testing for three years.

License Renewals

Procedures for renewing are easy.

Renewal notices are provided as a courtesy 45 days before expiration. If a license is transferred inside the 45 days prior to the expiration of the license, you will not receive a renewal notice. This is because the renewal notice was sent to the previous employer. When this happens, the renewal should be paid at the time of transfer. If you don't have a renewal notice for whatever reason within 20 days of expiration, send in your renewal payment with the form stating the name and the license number you are renewing.

Options for renewing licenses.

- Use the renewal notice with the return envelope to submit the request and fee.
- Send the request to renew the license on a Private Security Guard Application form. Mark the box that says renewal and submit the appropriate fees with the application.

Late renewal fees can be avoided by renewing on time.

- Licenses issued to security guards expire one year from the date of issuance.
- Licenses issued to security guard companies expire one year from the date of issuance.
- Licenses must be renewed each year on or before the expiration date by paying a renewal license fee.
- If the renewal license fee is not received by the Department of Licensing on or before the renewal date, an additional penalty fee must be paid.

Cancelled records require individuals to apply as new applicants.

The renewal fee must be received by the Department of Licensing within one year of the license expiration date. If the late-renewal fee is not received within one year, the license and record are cancelled. After a record is cancelled, the person must start over as a new applicant.

When starting over as a new applicant, all requirements for initial licensing must be met. This includes the successful completion of any applicable training, examination requirements, background check and required fee.

Termination of Security Guard Employees Transfers/Rehires

Termination of employment requires notification from the employer.

- A person may only perform duties and activities of a security guard while in compliance with security guard licensing laws and while under the direction and supervision of a licensed security guard company.
- At any time, either the company principal or the security guard may terminate their employee, employer relationship.
- The company must notify the Department of Licensing within 30 days that the relationship has been terminated. The notification must include the security guard's license that was held by the company. The termination date and the signature of the company principal or authorized representative must be written on the license.
- If the license held by the company cannot be surrendered to the Department of Licensing because the license has been lost, the company principal or authorized representative must send us a written notice reporting the lost license.

Transfers and rehires of security guards require forms and fees.

A license transfer is when a security guard employee moves from one security guard company to another security guard company.

- A transfer or rehire of a security guard is like a reactivation of the license. This process requires a notification to the Department of Licensing. To do this you must send a completed Private Security Guard Application form. Mark the Transfer/Rehire box at the top of the application and include the listed fee. The license expiration date doesn't change. A license will be not be issued if the license is expired.
- When the Department of Licensing receives the transfer or rehire application, the license will be reactivated and mailed to the security guard company.
- Temporary registration cards can be issued for unarmed security guard transfer applicants because they are new hires, but must still be signed by a certified trainer and recorded on the temporary registration card log, and

only if proof of preassignment training with a prior employer can be verified.

- Fingerprint cards do not need to be submitted with a transfer application unless you have been told specifically to do so by the Department of Licensing for a particular individual.

Access the Professional License Query website on the Internet.

Go to the web address, <https://fortress.wa.gov/dol/dolprod/bpdLicenseQuery/> to see if the license you are transferring is due for renewal or has already expired. The transfer and the renewal should be processed at the same time. See page 4 for more details.

Security Guard Company Principal License Change of Company Principal

In addition to meeting the minimum requirements to obtain a license as a security guard, an applicant, or, in the case of a partnership, each partner, or, in the case of a corporation, the qualifying agent, must meet the following requirements to obtain a license to own or operate a security company:

- Possess three years experience as a manager, supervisor, or administrator in the private security business or a related field approved by the Department of Licensing, or be at least 21 years of age and pass an examination.
- A licensed private security company must file and maintain with the Department of Licensing a current certificate of insurance as evidence that it has minimum comprehensive general liability coverage of \$50,000 – at least \$25,000 for bodily or personal injury and \$25,000 for property damage.
- Pay any additional fees established by the Department of Licensing.
- The security guard company must have an in-state physical address.

No license to own or operate a private security guard company may be issued to an applicant if the name of the company portrays the company as a public law enforcement agency, or in association with a public law enforcement agency, or includes the word “police”.

A company license issued pursuant to this section may not be assigned or transferred without prior written approval of the Department of Licensing.

Security guard companies can change principals as needed.

If the principal or also called qualified agent, stops working as the principal on a regular basis, the principal must promptly notify the Department of Licensing by certified or registered mail.

Within 60 days of sending notification to the Department of Licensing, the company must obtain a substitute-qualifying agent who meets the requirements of this section and submit a Change of Principal application and required fees and fingerprint cards. The Department of Licensing may extend the period for obtaining a replacement-qualifying agent.

Branch Offices and Notification Requirements

Branch offices for security guard companies must be identified.

A principal of a private security guard company must notify the Department of Licensing of the addresses of all branch offices in the space provided on the initial company application. The Department of Licensing will issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch.

Each branch license shall be displayed in the office for which it is issued. The principal must notify the Department of Licensing by mail, within 30 days, of any changes to branch office addresses. This includes additions or deletions of branches. There are no fees of any kind for branch licenses under the security guard laws.

There are several occasions when a notification is required.

- A private security company must notify the Department of Licensing and their local law enforcement agency within 72 hours from receipt of information affecting the company or the guard/employee's continuing eligibility to hold a license under the provisions of RCW 18.170.110.
- A private security guard company must notify the local law enforcement agency whenever an employee who is an armed private security guard discharges his or her firearm while on duty. This does not include on a supervised firearm range. The notification must be made within 10 business days of the date the firearm is discharged.
- The principal of a private security guard company must notify the Department of Licensing of the change of location and mailing address of the company office within 10 working days. Notification must be made in writing by submitting a change of address form which is available on the Department of Licensing website at:
<http://www.dol.wa.gov/forms/690004.pdf>.

Criminal History

What happens when an applicant or licensee has criminal history?

When background check results are returned to the Department of Licensing from WSP and/or FBI with a criminal history record, the conviction(s) are reviewed. A determination is then made regarding whether the applicant/licensee meets the minimum qualifications to be licensed as a security guard in this state.

What are the specific criteria that would determine that an applicant/licensee does not meet the minimum qualifications or requirements?

Washington State Law RCW 18.235.130 Unprofessional Conduct. The following conduct, acts, or conditions constitute unprofessional conduct for any license holder or applicant under the jurisdiction of this chapter:

- (1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's professions or operation of the person's business, whether the act constitutes a crime or not . . . For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere (no contest) is the basis for the conviction and all proceeding in which the sentence is deferred or suspended...;
- (2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;
- (6) Failure to cooperate with the disciplinary authority in the course of an investigation, audit, or inspection authorized by law by:
 - (a) not furnishing any papers or documents requested by the disciplinary authority.
- (13) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession or operation of the person's business. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere (no contest) is the basis for the conviction and all proceeding in which the sentence is deferred or suspended.

Washington State Law RCW 18.170.170 Unprofessional Conduct. In addition to the unprofessional conduct described in RCW 18.235.130, a list is provided for "conduct, acts, or conditions" which "constitute unprofessional conduct for any license holder or applicant under the jurisdiction of" these chapters.

What happens if the applicant/licensee falls under these criteria?

They will be offered due process called a Brief Adjudicative Proceeding (BAP).

**Request for Required Information and
Request for Disposition of Record(s) to the Court**

An applicant/licensee will be sent a **Request for Required Information** letter if the Department of Licensing has received criminal history back from WSP and/or FBI with no criminal classification, arrest data only or no disposition. The intent of this letter is to give the applicant/licensee an opportunity to demonstrate that the findings on his/her criminal history report are incorrect or incomplete.

During this process, the applicant can continue to work on their temporary registration card. If the 60 day time frame is about to expire, please call the program at (360) 664-6611 to extend the temporary registration card until this process is complete.

Enclosed with the Request for Information letter is a **Request for Disposition of Record(s)** form. This form is to be used in acquiring conviction or dismissal information from the court. This form needs to be filled out and signed by a court authority, **not by the applicant/licensee**. We will also accept court documentation of the final disposition.

The applicant/licensee is required to respond to this request for information within 30 days from the date of service of the letter. Service is deemed complete upon deposit in the United States mail.

If a response from the applicant is not received within the 30 days, the Department of Licensing will reject the application and stop processing the license application. If in the future, the applicant decides they want a license, they must reapply with a new application and pay the required fee.

If a response from the licensee is not received within the 30 days, the Department of Licensing will initiate administrative procedures to deny his/her application/licensee for failure to respond.

The applicant/licensee can call the program to request an extension if they are unable to meet the 30 day time frame.

If the applicant/licensee **does** respond and sends the Department of Licensing court documents that indicate that the criminal history has been vacated, dismissed,

expunged, charges not file, etc. or the courts filled out the disposition form with proof that the criminal history has been (same as above), applicant/licensee may qualify for licensure.

If the applicant/licensee meets the requirements, the license is issued by the Department of Licensing.

Brief Adjudicative Proceeding (BAP)

Notice of Intent to Deny or Statement of Charges

An applicant will be sent a **Notice of Intent to Deny** and the licensee will be sent a **Statement of Charges** if:

1. The Department of Licensing has received criminal history from WSP and FBI with a complete criminal conviction record. The Department of Licensing determines that the applicant/licensee particular crime directly relates to his or her capacity to perform the duties of a private security guard, and determines that the license should be withheld to protect the citizens of Washington State. *Per RCW 18.170.030(3) and RCW 18.235.130(13).*

Request for Brief Adjudication Proceeding form

The applicant/licensee is offered the opportunity to request a BAP to contest the decision made by the Department of Licensing regarding denial of their application/license.

Enclosed with the **Notice of Intent to Deny** is a form entitled **Request for Brief Adjudication Proceeding**. In order to request a BAP, the applicant/licensee must complete this form, attach any evidence including a written statement explaining why the conviction information is incorrect, and provide any court documents. *Per RCW 34.05 and WAC 308-18.*

The request and attachments must be received back to the Department of Licensing within 20 days. Failure to request a BAP within 20 days will result in the loss of their rights to a BAP and a denial/revocation of their application/license.

If the applicant/licensee needs more time to collect their information, they will need to send in the Request for Brief Adjudication Proceeding and then call the Department of Licensing and ask for an extension to the time frame.

When the applicant has received a **Notice of Intent to Deny**, the applicant must immediately surrender their temporary registration card to their employer and can no longer work until this matter is taken care of. *Per RCW 18.170.090(2).*

When the licensee has received a **Statement of Charges**, the licensee can continue to work until the matter is resolved.

Order of Default

If a Request for Brief Adjudication Proceeding Form is not received back within the 20 days, an **Order of Default** is mailed to the applicant/licensee and employer. The Order of Default is a signed order by the Administrator of the Public Protection Services Section informing them of the denial/revocation of their application/licensee. The original Order of Default is filed in the applicant's/licensee's file.

The BAP Hearing

If the Request for Brief Adjudication Proceeding Form is received to proceed with the BAP within the 20-day time frame, a **Notification of BAP Schedule letter** will be sent to the applicant/licensee with the date the BAP will be conducted.

The applicant/licensee does not come to the proceeding. It is very important for them to provide the department court documents, written explanation, etc. to prove their case.

A Presiding Officer that has been designated by the Director of the Department of Licensing will conduct the BAP. The Presiding Officer will have agency expertise in the subject matter, but has not personally participated in the decision determined by the Department of Licensing. The Presiding Officer will review the applicant/licensee file and documentation provided by the applicant/licensee. The Presiding Officer will issue an Initial Order to the applicant/licensee within 10 days.

The Initial Order is called, The Findings of Fact, Conclusion of Law, and Order of Brief Adjudicative Proceeding. It explains the background and basis for the decision in this, the first step of the appeal of the department's proposed action against a license. The Initial Order will state whether the applicant/licensee is eligible for licensure or not eligible. The signed original Initial Order is filed in the applicant/licensee file. A copy of the Initial Order is sent certified and through the US mail to the applicant/licensee. A copy of the cover letter of the Initial Order is sent to employer.

What if the applicant/licensee does not agree with the Initial Order?

You have a right to appeal. It is called an Administrative Review. An Administrative Review is limited to re-evaluating the record (including any new information or documents submitted with the appeal). The Department must receive the request within 21 days of service of the Initial Order.

Administrative Review

The Reviewing Officer reviews the file. The Reviewer can overturn the decision of the Presiding Officer and the license is issued; or the Reviewing Officer agrees (sustains) with the decision of the Presiding Officer and the license is denied/revoked. If a request for review of the Initial Order is not received within 20 days, the Initial Order will be the Final Order.

The applicant/licensee can petition for review of his/her file all the way to superior court.

**Recommended sanctions used to determine length of time that must pass before an applicant can reapply for licensure as a private security guard.
1 – 10 represent years**

The first chart below also represents how much time must pass from the date of the conviction before an applicant would qualify for a security guard license. The applicant must admit to having the conviction on the state application form.

Date of Conviction	1	2	3	4	5	6	7	8	9	10
Gross Misdemeanor - Property										
Gross Misdemeanor - Person										
C/Felony – Property										
C/Felony - Person										
B/Felony - Property										
B/Felony - Person										
A/Felony										

Date of Order	1	2	3	4	5	6	7	8	9	10
A/Felony										
Sex Offenders – Never issued										

The above represents a suggested guideline in establishing requests for sanctions after a finding to deny in a Brief Administrative Procedure. Most final orders are expressed in the manner of “the respondent has no right to re-apply until _____;” rather than a specified time frame. Two points of time were selected as a beginning point in establishing sanctions, from the date of conviction and the date of the final order.

Date of conviction was used as a beginning date for sanctions for gross misdemeanor offenses, “C,” “B,” and “A” class felonies as displayed above and range from six to ten years.

The date of the order was used as a beginning date for sanctions regarding misrepresentation and represents four years. The date of the order would represent a finding by the Hearing Officer of a violation of administrative law with the four year no right to re-apply sanction imposed from the date of the final order.

The date of the order was used as a beginning date for sanctions regarding failure to respond to the Request for Information and represents one year. The date of the order would represent a finding by the Hearing Officer of a violation of administrative law with the one year no right to re-apply sanction imposed from the date of the final order.

If a sanction is imposed for a criminal conviction and there is misrepresentation on the application for licensure, the recommended sanction would represent the greatest amount of time for a single violation. Sanctions would be concurrent and not consecutive.

Individual instances of several past offenses or serious offenses outside established time frames, but constitute a propensity to re-offend, will be considered on a case-to-case basis.